IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4022 OF 2004

Dinkar Tulsiram Manwade ...Applicant

Versus

The State of Maharashtra ...Opponent

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Mr.A.K.Patil for Applicant.

Mr.D.R.More, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

OCTOBER 5, 2004.

P.C.

1. Heard Counsel for the parties.

2. The only ground on which the Court below has rejected the Application preferred by the Applicant is that, filing of charge-sheet is not a changed circumstance. This opinion expressed by the Trial Court, cannot be sustained in view of the recent decision of our High Court (Coram : D.B.Bhosale, J.).

3. The appropriate course, instead of going into the merits of the case, is to relegate the Applicant to the Trial Court, which in turn, shall decide the Bail Application on its own merits, in accordance with law, as filing of the charge-sheet has now been held to be changed circumstance.

4. The Trial Court shall dispose of the Application within four weeks from the date of receipt of writ of this Court.

A.M.KHANWILKAR, J.